

ESTTA Tracking number: **ESTTA36565**

Filing date: **06/23/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91163803
Party	Defendant Tropical Resorts Management Co Ltd. Tropical Resorts Management Co Ltd. Tropic Isle Building P.O. Box 438 Road Town VGX Tortola,
Correspondence Address	SUSAN UPTON DOUGLASS FROSS ZELNICK LEHRMAN & ZISSU PC 866 UNITED NATIONS PLZ NEW YORK, NY 10017-1822 sdouglass@frosszelnick.com
Submission	Motion to Amend the Description of Services and for Suspension of Proceedings
Filer's Name	Susan Upton Douglass
Filer's e-mail	sdouglass@frosszelnick.com
Signature	/sud/
Date	06/23/2005
Attachments	050623-0500827-Motion to Amend and Suspend-Ritz-Carlton- BANYAN TREE-js.TIF (2 pages)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Applicant's Ref.: TPCA USA TC-05/00827

In the Matter of Application Serial No.: 76/184840
Trademark: BANYAN TREE and Design

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THE RITZ-CARLTON HOTEL COMPANY, L.L.C.	:
	:
Opposer,	:
	:
- against -	:
	:
TROPICAL RESORTS MANAGEMENT CO., LTD.	:
	:
Applicant.	:
-----X	

Opposition No. 91-163803

**MOTION TO AMEND THE DESCRIPTION OF SERVICES AND
FOR SUSPENSION OF PROCEEDINGS**

The parties have settled this dispute by means of an agreement dated June 16, 2005. The agreement requires that applicant amend the Class 42 services in its entirety to read as follows:


Class 42: health spa services, namely, cosmetic body care services; hotels, providing hotel accommodation, making hotel reservations for others, motels, making reservations for temporary lodging, providing facilities for exhibitions, plastic surgery, manicuring, beauty salons, hair dressing salons, sanatoriums, providing public baths for hygiene purposes and Turkish baths

It is respectfully submitted that this amendment is in the nature of a limitation – deleting “hotel catering” and “cocktail lounge services, cafes, snack-bars, canteens and caterings” – and is thus permissible.

Pending consideration and entry of this amendment, the parties stipulate to the suspension of Applicant's time to answer, as well as all discovery and trial deadlines.

The undersigned has discussed this motion with Elisabeth Escobar, Attorney for Opposer and is authorized to state that she consents to it.

**TROPICAL RESORTS
MANAGEMENT CO. LTD.**

By: 
Susan Upton Douglass
Attorneys for Applicant
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Dated: June 23, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by prepaid, first-class mail upon:

Elisabeth Roth Escobar
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and

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Susan Upton Douglass